

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MIKE KREIDLER,

Plaintiff,

v.

DANNY L. PIXLER, *et al.*,

Defendants.

Case No. C06-0697RSL

ORDER GRANTING MOTION FOR  
CERTIFICATION OF JUDGMENT

This matter comes before the Court on plaintiff's motion for an order certifying the judgment in this case for registration in other districts. The Court entered judgment on January 19, 2011. The Huffs and Midwest subsequently filed an appeal. They have not obtained a stay of the judgment.

Under Federal Rule of Civil Procedure 62(a), a judgment from a United States district court becomes final and enforceable fourteen days after judgment is entered. At that time, a prevailing party is entitled to execute upon the judgment. Pending appeal, however, the judgment is enforceable only in the district in which it was rendered. A party seeking to enforce the judgment in another jurisdiction must register it in another district by court order. 28 U.S.C. § 1963. According to the statute, the court rendering

1 the judgment can certify it for registration in another jurisdiction during the pendency of  
2 the appeal “for good cause shown.” Id. The Ninth Circuit has defined “good cause” as  
3 the absence of assets in the judgment forum combined with substantial assets in the  
4 registration forum. Columbia Pictures Indus., Inc. v. Krypton Broadcasting of  
5 Birmingham, Inc., 259 F.3d 1186, 1197-98 (9th Cir. 2001).

6 Plaintiff is not required to produce “the details of Defendants’ finances or evidence  
7 that would have been admissible at trial.” Mommy Gina Tuna Resources v. Integral  
8 Seafood LLC, 2009 WL 1322367 at \*1 (D. Haw. May 8, 2009). Rather, plaintiff’s  
9 burden is “minimal.” Id. (granting motion for certification and noting that plaintiff  
10 offered evidence that at least some of defendants’ assets were present in each of the  
11 districts in which registration was sought). Midwest and the Huffs do not own property in  
12 Washington. (Dkt. #21-2, Exs. A, B, D). Nothing in the record suggests that Pixler owns  
13 assets in Washington. Defendants do not dispute that they lack assets in this district, or  
14 that they have substantial assets in the districts in which plaintiff seeks to register the  
15 judgment. In fact, defendants did not respond to or oppose the motion, which the Court  
16 construes pursuant to Local Rule 7 as a concession that it has merit. In light of those facts  
17 and the evidence of defendants’ assets as set forth in plaintiff’s moving papers, the Court  
18 finds that plaintiff has shown good cause to certify the judgment. See, e.g., Columbia  
19 Pictures Indus., Inc., 259 F.3d 1198 (finding good cause where defendant did not dispute  
20 the allegations that he lacked assets in California and owned substantial assets in Florida).  
21 The finding of good cause is further supported by the fact that a failure to certify the  
22 judgment would likely result in dissipation of those assets, causing the judgment to be  
23 frustrated. See, e.g., Skydive Arizona, Inc. v. Quattrocchi, 2010 WL 2534200 at \*5 (D.  
24 Ariz. June 18, 2010).

25 Accordingly, plaintiff’s motion (Dkt. #422) is GRANTED. The Court certifies the  
26 ORDER GRANTING MOTION - 2

1 judgment for registration in the federal districts for the states of Florida (Northern and  
2 Middle districts),<sup>1</sup> Kentucky (Western and Eastern districts), South Carolina, and  
3 Tennessee (Western, Middle, and Eastern districts).

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5 DATED this 13th day of May, 2011.

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8 Robert S. Lasnik  
9 United States District Judge

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<sup>1</sup> Plaintiff's proposed order includes the Eastern District of Florida, which does not  
23 exist. Nor has plaintiff alleged or shown that defendants own any assets in the Southern  
24 District of Florida. Although Roxann Pixler testified during her deposition that she lived  
25 in that area five years ago, there is no evidence that Mr. Pixler or the other defendants  
26 currently own assets in that district. Accordingly, this order does not certify the judgment  
for registration in the Southern District of Florida.